

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO. 1:24-cv-220-LG-BWR

\$11,200.00 U.S. CURRENCY

DEFENDANT PROPERTY

DEFAULT JUDGMENT OF FORFEITURE

Before this Court is Plaintiff United States of America's Motion for Default Judgment of Forfeiture [9]. Having considered the motion and the relevant statutes and jurisprudence in this matter, this Court finds that the relief the United States seeks has merit and should be granted. This Court further finds and adjudicates as follows:

1. On July 16, 2024, the United States filed a Verified Complaint for Forfeiture *in Rem* [1], alleging that the Defendant Property is subject to forfeiture under 21 U.S.C. § 881(a).
2. On July 16, 2024, the Court issued a Warrant of Arrest *in Rem* [3].
3. Under Rule G(4)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States served direct written notice of this civil asset forfeiture action, including copies of the Verified Complaint for Forfeiture *in Rem* [1] and Notice of Complaint for Forfeiture [4], to all potential claimants reasonably known to the United States, as evidenced by the United States' Proof of Service [6].

4. Beginning on July 17, 2024, the United States published for thirty (30) consecutive days on an official government internet website at www.forfeiture.gov, notice of the instant case, as evidenced by the Proof of Publication [5].

5. The aforementioned publication and direct notices informed Francis Joseph Fradella, III, April Conaway, and all other persons or entities, known or unknown, having or claiming an interest in the Defendant Property that the Defendant Property had been arrested and that this instant civil forfeiture action was pending. The publication and direct notices also informed said persons and entities that they had thirty-five (35) days after being sent direct notice or sixty (60) days after the first date of the published notice to file a claim, and twenty-one (21) days thereafter to file an answer. Furthermore, the notice referred any such persons or entities to Rule G(5) of the Supplemental Rules of Admiralty and Maritime Claims and Asset Forfeiture Actions, and warned that if the Supplemental Rules were not strictly followed, the Court could strike any claim and answer and enter default judgment of forfeiture or summary judgment against any improperly claimed interest in the Defendant Property.

6. The United States took all reasonable measures to ensure that Francis Joseph Fradella, III, April Conaway, and all other possible claimants received such notice in a timely fashion.

7. As of this date, no claims, answers, or appearances have been filed to assert an interest in the Defendant Property, or to otherwise defend against this instant forfeiture action, by Francis Joseph Fradella, III, April Conaway, or any

other person or entity. Thus, the time pursuant to Supplemental Rule G, for Francis Joseph Fradella, III, April Conaway, or any other person or entity to file a valid claim or answer in this action has lapsed.

8. As such, Francis Joseph Fradella, III, April Conaway, and all other possible claimants are in total default; the Clerk of Court's September 18, 2024, Entry of Default [8] was proper; and the United States is entitled to a default judgment of forfeiture against the full interests of Francis Joseph Fradella, III, April Conaway, and all other persons and entities in the Defendant Property, all without the necessity of further notice to Francis Joseph Fradella, III, April Conaway, or any other person or entity.

IT IS, THEREFORE, ORDERED AND ADJUDGED THAT:

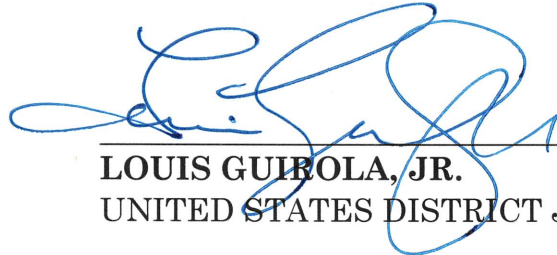
a. The United States of America is hereby given a default judgment of forfeiture against the full interests of Francis Joseph Fradella, III, April Conaway, and all other persons and entities in the Defendant Property described below:

Asset ID	Asset Description
21-DEA-683321	\$11,200.00 U.S. Currency seized on September 15, 2021, from April Conaway and Frank Fradella pursuant to a state search warrant at 200 East Beach Boulevard, Room #2209, Gulfport, Mississippi

b. Any administrative claims or interests therein of any entities or persons, including Francis Joseph Fradella, III, April Conaway, and any other possible claimant are hereby canceled;

c. The Defendant Property is referred to the custody of U.S. Marshals Service and/or the Drug Enforcement Agency for disposition in accordance with the relevant law and regulations.

SO ORDERED AND ADJUDGED, this 19th day of September
2024.


LOUIS GUIBOLA, JR.
UNITED STATES DISTRICT JUDGE